

COMMITTEE ON WATER AND SANITATION
(Standing Committee of Berkeley County Council)

Chairman: Mr. Robert O. Call, Jr., Council District No. 6

A **meeting** of the **COMMITTEE ON WATER AND SANITATION**, Standing Committee of Berkeley County Council was held on **Monday, February 13, 2012**, at **6:59 p.m.**, in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

PRESENT: Mr. Robert O. Call, Jr., Chairman, Council District No. 3; Committee Members: Mr. Phillip Farley, Council District No. 1, Mrs. Cathy S. Davis, Council District No. 4, Mr. Jack H. Schurlknight, Council District No. 6; ex-officios: Mr. Daniel W. Davis, County Supervisor, Mr. Timothy J. Callanan, Council District No. 2 and Mr. Caldwell Pinckney, Jr., Council District No. 7; Ms. Nicole Scott Ewing, County Attorney; and Ms. Catherine Windham, Interim Clerk to County Council. Mr. Steve C. Davis, Council District No. 8 and Mr. Dennis Fish, Council District No. 5, were excused.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

Chairman Call: "I'd like to call the meeting on Water and Sanitation to order. Madam Clerk, has this meeting been properly noticed?"

Ms. Windham: "Yes, sir. This meeting has been properly noticed via the South Carolina Freedom of Information Act."

Chairman Call: "Thank you, mam."

APPROVAL OF MINUTES

Chairman Call: "First is the approval of minutes January 9, 2012. Do I have a motion to approve the minutes?"

Committee Member Schurlknight: "So moved."

Committee Member Farley: "Second."

Chairman Call: "I have a motion and a second. Is there any discussion, corrections, or additions to these minutes? (No Response) Hearing none, I'll call for the vote. All in favor say Aye? (Ayes). All opposed, Nay? (No Response). The minutes stand approved as presented."

It was moved by Committee Member Schurlknight and seconded by Committee Member Farley to **approve** the minutes as presented. The motion passed by unanimous voice vote of the Committee.

Chairman Call: "We have a need for an..."

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the County; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversarial situations involving the assertion against the County of a claim.

Chairman Call: "Do I have a second?"

Committee Member Schurlknight: "So move."

Chairman Call: "We have a motion and a second. We are now in Executive Session."

County Attorney N. Ewing: (inaudible)

Supervisor D. Davis: "Didn't get a vote."

Chairman Call: "I'm sorry. All in favor say Aye (Ayes). Opposed? (No response). We're now in Executive Session."

The Committee entered into Executive Session at 7:01 p.m., and returned to its Committee Session at 7:13 p.m.

Chairman Call: "Madame Attorney, would you report us out of Executive Session?"

County Attorney N. Ewing: "Yes, Mr. Chairman. The Committee went into Executive Session for the reasons stated in the motion. No action was taken."

Chairman Call: "Thank you. First, on the agenda is..."

A. Mr. Colin Martin, Executive Director, Berkeley County Water & Sanitation (BCWS), Re:

- 1. Proposed Ground Lease and Waste Utilization Agreements with Coastal Biodiesel Group, Inc. ("CBD").**

Mr. Martin: "Mr. Chairman, would you tell me which one we're on, again?"

Chairman Call: "We're on the 'A' item, the Biodiesel Group, Incorporated."

Mr. Martin: "Ok."

Chairman Call: "Coastal Biodiesel Group, Incorporated. CBG."

Mr. Martin: "And my recommendation in accordance with the discussions at various points through the summer and fall is that we enter into an agreement that has been provided to you with Biodiesel Energy for a term of 18 months at the Lower Berkeley Wastewater Treatment Plant."

Chairman Schurlknight: "Move for approval."

Chairman Call: "I have a motion, do I have a second?"

Committee Farley: "Second."

Chairman Call: "I have a motion and a second. Is there any discussion? (No Response) Hearing none, I'll call for the vote, all in favor say Aye? (Ayes) Opposed, Nay? (No Response). Motion carries."

It was moved by Committee Member Schurlknight and seconded by Committee Member Call to authorize the County Supervisor to sign a **Ground Lease and Waste Utilization Agreements with Coastal Biodiesel Group, Inc. ("CBD")**. The motion passed by unanimous voice vote of the Committee.

Chairman Call: "Next is..."

2. Proposed Ground Lease and Waste Utilization Agreements with **McGill Environmental Systems**.

Mr. Martin: "Yes, sir. Again in accordance with discussions and negotiations through the summer and fall, I recommend that the Supervisor be authorized to enter into an agreement with McGill Environmental Systems for a period of 25 years."

Chairman Call: "Do I have a motion?"

Committee Member Schurlknight: "Move for approval."

Committee Member Farley: "Second."

Chairman Call: "I have a motion and a second. Any discussion? (No Response) Hearing none, I'll call for the vote, all in favor, say Aye? (Ayes) All opposed, Nay? (No Response). Motion carries."

It was moved by Committee Member Schurlknight and seconded by Committee Member Farley to authorize the County Supervisor to sign a **Ground Lease and Waste Utilization Agreements with McGill Environmental Systems (McGill)**. The motion passed by unanimous voice vote of the Committee.

Chairman Call: "Next is..."

B. Ms. Johnette Connelley, BCWS Finance Director, Re: Proposed Ground Lease and Waste Utilization Agreements with BioEnergy.

Mr. Martin: "Yes sir, I was on the road, and I asked Ms. Connelley to submit that for me, and that's how her name got there."

Chairman Call: "You have changed a lot Ms. Connelley."

Mr. Martin: "For the better I'm sure. In accordance with discussions with Council and BioEnergy Technologies, I recommend that the Supervisor be authorized to enter into an agreement honoring the proposed Ground Lease and Waste Utilization Agreement with BioEnergy for a period of 21 years."

Committee Member Farley: "So move."

Chairman Call: "Do I hear a second?"

Committee Member Schurlknight: "Second."

Chairman Call: "I have a motion and a second. Is there any discussion? (No Response) Hearing none, I'll call for the vote, all in favor? (Ayes) All opposed? (No Response). Motion carries."

Mr. Martin: "Thank you, Mr. Chairman."

It was moved by Committee Member Farley and seconded by Committee Member Schurlknight to authorize the County Supervisor to sign a **Ground Lease and Waste Utilization Agreements with BioEnergy**. The motion passed by unanimous voice vote of the Committee.

C. Mr. Micah Miley, BCWS Director of Engineering, Re: 8" CIPP Sectional Point Repairs.

Chairman Call: "The next item with Mr. Miley, he had a family emergency and he will not be here to present that. So, we'll take that up next time."

D. Review prior to Third Reading:

1. **Bill No. 11-48**, an ordinance of the County Council of Berkeley County providing for the amendments of that certain **Water Purchase and Supply Agreement** between the **Lake Marion Regional Water Agency** and Berkeley County, South Carolina; and other matters relating thereto.

Committee Member Schurlknight: "Move for approval."

Committee Member Farley: "Second."

Chairman Call: "I have a motion and a second. Is there any discussion? (No Response) Hearing none, I'll call for the vote, all in favor say Aye? (Ayes) All opposed, Nay? (No Response). Motion carries."

It was moved by Committee Member Schurlknight and seconded by Committee Member Farley to **approve** consideration, prior to Third Reading, of Bill No. 11-48. The motion passed by unanimous voice vote of the Committee.

Committee Member Schurlknight: "Move for adjournment."

Chairman Call: "Motion to adjourn."

Committee Member C. Davis: "Second."

Chairman Call: "Second? Did I hear a second?"

Committee Member Schurlknight: "Yep."

Chairman Call: "All in favor, say Aye? (Ayes) Opposed, Nay? (No Response). The Ayes have it, we are adjourned."

It was moved by Committee Member Schurlknight and seconded by Committee Member C. Davis to **adjourn** the meeting of the Committee on Water and Sanitation. The motion passed by unanimous voice vote of the Committee.

Meeting adjourned at 7:18 p.m.

May 14, 2012
Date Approved

ADDENDUM #1

COMMITTEE ON WATER AND SANITATION (Standing Committee of Berkeley County Council)

Chairman: Mr. Robert O. Call, Jr., District No. 3

Members: Mr. Phillip Farley, District No. 1
Mrs. Cathy Davis, District No. 4
Mr. Jack H. Schurlknight, District No. 6
Mr. Steve C. Davis, District No. 8

Mr. Timothy J. Callanan, District No. 2, ex officio
Mr. Dennis Fish, District No. 5, ex officio
Mr. Caldwell Pinckney, District No. 7, ex officio
Mr. Daniel W. Davis, Supervisor, ex officio

A **meeting** of the **COMMITTEE ON WATER AND SANITATION**, Standing Committee of Berkeley County Council will be held on **Monday, February 13, 2012** at **6:02 p.m.**, following other scheduled committee meetings in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

ADD:

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the County; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversarial situations involving the assertion against the County of a claim.

February 9, 2012
S/Melissa P. Harris

Catherine R. Windham
Interim Clerk of County Council

COMMITTEE ON WATER AND SANITATION
(Standing Committee of Berkeley County Council)

Chairman: Mr. Robert O. Call, Jr., District No. 3

Members: Mr. Phillip Farley, District No. 1
Mrs. Cathy Davis, District No. 4
Mr. Jack H. Schurlknight, District No. 6
Mr. Steve C. Davis, District No. 8

Mr. Timothy J. Callanan, District No. 2, ex officio
Mr. Dennis Fish, District No. 5, ex officio
Mr. Caldwell Pinckney, District No. 7, ex officio
Mr. Daniel W. Davis, Supervisor, ex officio

A **meeting** of the **COMMITTEE ON WATER AND SANITATION**, Standing Committee of Berkeley County Council will be held on **Monday, February 13, 2012**, at **6:02 p.m.**, following other scheduled committee meetings in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

AGENDA

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

APPROVAL OF MINUTES

January 9, 2012

- A. Mr. Colin Martin, Executive Director, Berkeley County Water & Sanitation (BCWS), Re:**
1. Proposed Ground Lease and Waste Utilization Agreements with **Coastal Biodiesel Group, Inc. ("CBD")**.
 2. Proposed Ground Lease and Waste Utilization Agreements with **McGill Environmental Systems**.
- B. Ms. Johnette Connelley, BCWS Finance Director, Re:** Proposed Ground Lease and Waste Utilization Agreements with **BioEnergy**.
- C. Mr. Micah Miley, BCWS Director of Engineering, Re:** 8" CIPP Sectional Point Repairs.

D. Review prior to Third Reading:

1. **Bill No. 11-48**, an **ordinance** of the County Council of Berkeley County providing for the amendments of that certain **Water Purchase and Supply Agreement** between the **Lake Marion Regional Water Agency** and Berkeley County, South Carolina; and other matters relating thereto.

February 8, 2012

S/Catherine R. Windham

Interim Clerk of County Council